

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
JUNE 16, 2016**

**Site Visit
9:00 a.m.
Mintbrook Subdivision
Route 17/28, Lee District**

Commission members present were Ms. Adrienne Garreau, Chairperson; Mr. Ken Alm, Mr. Matthew Smith, and Mr. Bob Lee. Staff present were Mr. Adam Shellenberger and Mr. Rob Walton.

In addition to the attendees above, Mr. Andrew Vinisky, Mintbrook Developers, LLC; Mr. Will Duncanson, Bowman Consulting; Mr. Bret Sechler, Ryan Homes; and Mr. Greg Sailor, Ryan Homes, were present for the Mintbrook Subdivision site visit.

Ms. Garreau, Mr. Alm, Mr. Smith, Mr. Lee, Mr. Shellenberger and Mr. Walton departed the County parking lot, at the corner of Lee Street and John Marshall Street, at 9:00 a.m. for Mintbrook Subdivision, Route 17/28, Lee District. The group toured the existing development.

Ms. Garreau, Mr. Alm, Mr. Smith, Mr. Lee, Mr. Shellenberger and Mr. Walton returned to the County parking lot, and the meeting ended at approximately 10:30 a.m.

**Work Session
10:30 a.m.
Warren Green Meeting Room
10 Hotel Street, Warrenton, Virginia**

The Fauquier County Planning Commission held a Work Session on Thursday, June 16, 2016, beginning at 10:30 a.m., in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Adrienne Garreau, Chairperson; Mr. John Meadows, Vice-Chairperson; Mr. Bob Lee, Mr. Ken Alm, and Mr. Matthew Smith. Also present were Ms. Tracy Gallehr, Ms. Kimberley Fogle, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Andrew Hopewell, Mr. Adam Shellenberger, Mr. Jim Sawyer, Ms. Heather Jenkins and Mr. Ben Holt.

SPECIAL EXCEPTION – SPEX-15-003616 – MOOTHRU, LLC (OWNER/APPLICANT) – MOOTHRU, LLC

Ms. Holly Meade reviewed the application.

REZONING – REZN-16-004841 – EDWIN A. PITTARD, JR., CLYDE PITTARD, SR., ET AL (OWNERS)/ELIZABETH A. HAUCK (APPLICANT) – HAUCK PROPERTY

Ms. Holly Meade reviewed the application.

DROUGHT RESPONSE AND CONTINGENCY PLAN

Mr. Andrew Hopewell reviewed the proposed plan.

COMMUNITY CONVERSATIONS

Ms. Kimberley Fogle led the discussion.

APPROVAL OF MINUTES – MAY 19, 2016

Planning Commission members discussed the minutes.

PLANNING COMMISSIONERS' TIME

Mr. Matthew Smith requested that the telecommunications text amendment be placed on next month's agenda.

Ms. Kim Johnson listed the upcoming text amendments.

Ms. Tracy Gallehr noted that the Board of Supervisors will hold a work session at the July meeting to discuss amendments to the noise ordinance.

Mr. John Meadows inquired about changes to the lighting ordinance.

Planning Commission members discussed upcoming site visits.

The meeting was adjourned at 12:15 p.m.

***Regular Meeting
6:30 p.m.
Warren Green Meeting Room
10 Hotel Street, Warrenton, Virginia***

The Fauquier County Planning Commission held its regular meeting on Thursday, June 16, 2016, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Adrienne Garreau, Chairperson; Mr. John Meadows,

Vice-Chairperson; Mr. Bob Lee, Mr. Ken Alm, and Mr. Matthew Smith. Also present were Ms. Tracy Gallehr and Ms. Holly Meade.

1. **APPROVAL OF MINUTES** – May 19, 2016

On motion made by Mr. John Meadows and seconded by Mr. Ken Alm, it was moved to approve the May 19, 2016 minutes as amended.

The motion carried unanimously.

<p><i>Public Hearings 6:30 p.m. Warren Green Meeting Room, First Floor, 10 Hotel Street Warrenton, Virginia</i></p>

1. **CITIZENS' TIME**

No one spoke.

2. **ANNOUNCEMENTS**

None.

3. **SPECIAL EXCEPTION – SPEX-15-003616 – MOOTHRU, LLC (OWNER/APPLICANT) – MOOTHRU, LLC** – An application for a Category 20 Special Exception to allow a private individual sewage treatment system that discharges into an open ditch. The property is located at 11398 James Madison Highway, Lee District. (PIN 6888-28-5394-000) (Holly Meade, Staff)

Ms. Holly Meade reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Mr. John Meadows recused himself.

Ms. Adrienne Garreau opened the public hearing.

Merle Fallon Esquire, applicant's representative, explained how the applicant has corrected earlier violations and is now working within the required six hundred gallons per day (600 gpd). Mr. Fallon requested that the Planning Commission adopt these conditions and make a recommendation of approval.

In that there were no further speakers, Ms. Adrienne Garreau closed the public hearing.

On motion made by Ms. Adrienne Garreau and seconded by Mr. Matthew Smith, it was moved to forward this item to the Board of Supervisors with a recommendation of approval, subject to the following revised conditions:

1. The Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated, and shall be in general conformance with Special Exception Plat 03, MooThru, LLC Ice Cream/Dairy Store prepared by Brunk & Hilton Engineering, Inc., dated July 17, 2015, approved with the application, as qualified by these development conditions.
2. All on-site facilities and operations shall be in accordance with all applicable federal, state and local regulations at all times.
3. The commercial discharge system shall be limited to ~~600~~ 999 gallons per day.
4. Performance and maintenance of the discharge system shall be tested to standards contained within the State Water Control Board's General Permit 9VAC25-110 (Subsections 25-110-10 through 25-110-80). Testing shall be completed ~~monthly for the first twelve months of continuous operation. Following the first twelve months, testing shall be conducted~~ quarterly. Should evidence be found that the system exceeds Department of Environmental Quality (DEQ) parameters, the Department of Community Development, DEQ, and the Health Department shall immediately be notified and the Applicant shall have thirty days to bring the system into compliance with the State Water Control Board's General Permit 9VAC25-110 (Subsections 25-110-10 through 25-110-80) regulations. The Applicant shall be required to begin testing for any failing parameter monthly for the first three consecutive months immediately following the completion of the corrective action. After such time, quarterly testing can resume. All testing reports shall be provided to the Department of Community Development.

Should pump and haul procedures be necessary, notice that pump and haul procedures have been instituted shall be given to the Department of Community Development, DEQ and the Health Department on the same day such action is instituted. No testing for DEQ parameters shall be required during the period pump and haul procedures are utilized.

5. In accord with 24VAC30-151-690, the Applicant shall notify VDOT's district administrator's designee of any instances where the regulated discharge limits are exceeded and take immediate corrective action to ensure future excursions are prevented, and any damage to VDOT property is remediated.
6. The Applicant shall provide a water meter on its well to track water usage. This information shall be submitted to the Department of Community Development monthly for the first year. Following the first year, the water usage information shall be submitted quarterly to the Department of Community Development. Should there be evidence that the usage is exceeding design capacity, the Applicant shall address the exceedence and correct as necessary within thirty days. Following such a determination, the Applicant shall begin reporting monthly again for three months, after such time quarterly reporting shall resume.

- ~~7. The applicant shall sleeve the building sewer with Schedule 40 PVC pipe under the American Legion driveway depicted on the Wastewater Disposal Special Exception plat.~~
- ~~8. The elevation from discharge point, to the end of the easement, and every 50 feet in between shall be provided on the final construction plans provided to DEQ.~~
- ~~9. The average slope of the channel from the discharge point to the end of the easement shall be graded for positive drainage and shown on the construction plans provided to DEQ.~~
7. The discharge point shall be located between stations 5+00 and 6+00 as depicted on the Brunk & Hylton Engineering Wastewater Disposal Modification Special Exception plat, immediately southeast of the existing entrance on **adjoining** Remington Post No. 247, Inc. property (6888-28-2976-000). The remainder of the existing easement, extending from this point to station 8+27.2, shall be filled with rip-rap which size shall be determined by engineered flow calculations. The Applicant shall ~~install and~~ maintain the ditch and rip-rap.
8. A maintenance contract with a licensed professional shall be retained at all times. The Applicant shall provide the Zoning Administrator with a copy of the contract annually.
9. Applicant shall provide a grease trap meeting Health Department regulations as part of the wastewater treatment system.
10. The entire off-site force main shall be in an easement or subject to Virginia Department of Transportation permit.
- ~~11. Risers shall be provided at both the inlet and outlet end of the septic tank.~~
11. A sample port and effluent collection box shall be provided after ultraviolet treatment, prior to entering the force main, to allow for accurate wastewater monitoring. The sample location shall be secured to prevent public access.
12. A remote monitoring system shall be installed to automatically alert the licensed Operator and Owner of any alarm events. An agreement with the licensed Operator and Owner shall be in place to allow for their response to these emergency events. A copy of this agreement shall be provided to the Fauquier County Zoning Administrator annually.
13. Should the Department of Environmental Quality require changes to the final construction plans, the Applicant shall provide a copy of the final construction plans and approval from the Department of Environmental Quality to the Fauquier County Department of Community Development within thirty days of DEQ approval.
14. The Applicant shall obtain a permit from VDOT for the discharge and structure within the VDOT right-of-way.
15. The Applicant shall post and maintain “No Parking” signs along the property’s Kings Hill Road frontage.

16. All equipment, machinery and facilities pertaining to the discharge system, which are not located within an enclosed building shall be effectively screened.
17. All activities associated with the ice cream sales operation shall be limited to the subject parcel (PIN 6888-28-5394-000) unless the proper approvals are obtained to expand the operation.
18. The private water supply serving this facility shall meet all Virginia Department of Health and Office of Drinking Water standards.
- ~~19. The Special Exception is valid for three (3) years from Board of Supervisors' approval.~~
20. The Special Exception is valid for five (5) years from Board of Supervisors' approval.

The motion carried 4-0, with Mr. John Meadows recusing himself.

Ms. Adrienne Garreau amended the agenda to re-open Citizens' Time after the public hearing items are finished, in order to allow a citizen to speak to a topic not on the agenda.

4. **REZONING – REZN-16-004841 – EDWIN A. PITTARD, JR., CLYDE PITTARD, SR., ET AL (OWNERS)/ELIZABETH A. HAUCK (APPLICANT) – HAUCK PROPERTY** – An application to rezone two parcels from Rural Agriculture (RA) to Industrial General (I-2). The properties are located on Midland Road, Cedar Run District. (PIN 7819-08-6289-000 and 7819-08-7272-000) (Don Del Rosso, Staff)

Ms. Holly Meade reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

Ms. Elizabeth Hauck, applicant, explained the difficulty in selling these two lots and hopes a change in zoning will help to attract a buyer. She indicated that they will work with VDOT to evaluate the sight distance if there is a favorable recommendation from the Planning Commission.

In that there were no further speakers, Ms. Adrienne Garreau closed the public hearing.

On motion made by Mr. Matthew Smith and seconded by Mr. John Meadows, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

5. **CITIZENS' TIME**

Ms. Adrienne Garreau re-opened Citizens' Time.

Mr. Tom Milic expressed concerns regarding property he owned that was purchased by the County. He stated he met with County officials and was requesting copies of that information.

In that there were no further speakers, Ms. Adrienne Garreau closed the public hearing.

In that there was no further business, the meeting was adjourned at 6:49 p.m.

A tape recording of the meeting, as well as the associated staff reports and attachments for each agenda item, are retained on file in the Department of Community Development's Planning Office, 10 Hotel Street, Third Floor, Warrenton, Virginia, for a period of one year.

**THE AGENDA MAY BE MODIFIED ON ADOPTION BY THE PLANNING
COMMISSION IN THE FORM OF ADDITIONS, DELETIONS OR REVISIONS**